REMARKS

Claims 1-24 are pending. Claims 1-24 are rejected. Claims 1 and 9 are amended. No new matter is added as a result of these amendments.

Drawings

The Examiner objected to the drawings (Figures 1-4) as not including arrowheads in the outstanding Office Action mailed May 13, 2004. The Applicants respectfully submit that the objection to the drawings should be withdrawn. The lines shown coupling the components depicted in Figures 1-4 represent component connections that involve two way communications. As such illustrations are accepted as a proper manner of depicting connections between such components, the Applicants respectfully request the withdrawal of the objections to the drawings.

Specification

The Examiner objected to the specification in the outstanding Office Action. The specification has been amended in a manner so as to obviate the cited objections (see attached amendment). Consequently, the Applicants request the withdrawal of the outstanding objections to the specification.

Claim Objections

The Examiner objected to the Claims as containing informalities. The Claims have been amended so as to eliminate any informalities (see attached amendments to the Claims). Consequently, the Applicants request the withdrawal of the objections to the Claims.

101 Rejections

Claims 1 is rejected under 35 USC 101 as being directed to non-statutory subject matter. Claim 1 has been amended in a manner that obviates the rejection of Claim 1 under 35 USC 101. Accordingly, the Applicants respectfully request the withdrawal of the rejection of Claim 1 under 35 USC 101.

103 Rejections

Claims 1-5, 7-13, 15-21 and 23-24 are rejected under 35 USC 103(a) as being anticipated by Becker et al. in view of Galperin et al.

The Examiner is respectfully directed to independent Claim 1 which recites that an embodiment of the present invention is directed to a method for action selection based upon an objective of an outcome relative to a subject, comprising:

> b) calculating and storing a best behavioral model for predicting said outcome, provided an action is applied to said subject; ...e)determining and storing said optimized strategy for said random sub-sample, said optimized strategy for providing an optimal action relative to said subject for said objective of said outcome.

Claims 9 and 17 recite limitations similar to those found in Claim 1. Claims 2-5, 7 and 8 depend from independent Claim 1 and recite further features of the Claimed invention. Claims 10-13, 15 and 16 depend from independent Claim 9 and recite further features of the Claimed invention. Claims 18-21, 23 and 24 depend from independent Claim 17 and recite further features of the Claimed invention.

Becker et al. does not anticipate or render obvious a method for determining an action selection that is based upon an outcome relative to a subject that includes "b) calculating and storing a best behavioral model for predicting said outcome, provided an action is applied to said subject" and determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for "providing an optimal action relative to said subject for said objective of said outcome" as is recited in Claim 1 (and similar limitations of Claims 9 and 17). Becker et al. only teaches a method, system, and computer program product for visualizing an evidence classifier. Becker et al. is concerned with displaying information that is representative of the structure of an evidence classifier and that is configured to include information concerning how the evidence classifier predicts a label.

Nowhere in the Becker et al. reference is there taught or suggested a method, system, or program for: (1) calculating and storing a best behavioral model for predicting an outcome, provided an action is applied to a subject, and (2) determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for providing an optimal action relative to the subject for the objective of the outcome as is recited in Claim 1 (Claims 9 and 17 contain similar limitations).

It should be appreciated that these limitations detail specifically defined relationships (e.g., "calculating ...provided an action is applied to said subject") between specifically defined types of data constructs (e.g., behavioral model, optimized strategy etc.) that are simply not taught or suggested in the Becker et al.

reference. In the outstanding Office Action the Examiner equates the recited calculation of a best behavioral model with the functionality provided by the classifier that is disclosed by Becker et al. The Applicants respectfully submit that Becker et al. teaches that the classifier predicts "one attribute of a set of data given one or more other attributes" but does not teach that an underlying behavioral model identified as being best for predicting an outcome is itself the subject of calculation. As such, the operations equated in the outstanding Office Action are functionally distinct which thus precludes a reasonable interpretation of the cited operations as equivalents. Consequently, the embodiments of the Applicants' invention as are set forth in Claims 1, 9 and 17 are neither anticipated nor rendered obvious by Becker et al.

Galperin et al. does not overcome the deficiencies of Becker et al. outlined above. Galperin et al. does not anticipate or render obvious a method for determining an action selection that is based upon an outcome relative to a subject that includes "c) calculating and storing a best behavioral model for predicting said outcome, provided an action is applied to said subject" and determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for "providing an optimal action relative to said subject for said objective of said outcome" as is recited in Claim 1 (Claims 9 and 17 contain similar limitations).

Galperin et al. only shows a method and apparatus for determining loan prepayment scores. Galperin et al. does not anticipate or render obvious a method for determining an action selection that is based upon an outcome relative to a subject that includes "b) calculating and storing a best behavioral model for predicting said

outcome, provided an action is applied to said subject" and determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for "providing an optimal action relative to said subject for said objective of said outcome" as is recited in Claim 1 (Claims 9 and 17 contain similar limitations).

Moreover, nowhere in the Galperin et al. reference are the expressly defined relationships (e.g., "calculating ...provided an action is applied to said subject") between the expressly defined types of data constructs (e.g., behavioral model, optimized strategy etc.) as are set forth in Claims 1, 9 and 17 taught or suggested (or even addressed). Consequently, the embodiments of the Applicants' invention as are set forth in Claims 1, 9 and 17 are neither anticipated nor rendered obvious by Becker et al.

Therefore, the Applicants respectfully submit that the claimed embodiments of the invention as set forth in Claims 1, 9 and 17 are in condition for allowance. Accordingly, the Applicants also respectfully submit that Claims 2-5, 7 and 8, 10-13, 15 and 16 and 18-21, 23 and 24, dependent on Claims 1, 9 and 17 respectively, overcome the Examiners basis for rejection under 35 U.S.C. 103(a) as they are dependent on allowable base claims.

Claims 6, 14 and 22 are rejected under 35 USC 103(a) as being anticipated by Becker et al. in view of Galperin et al. in further view of Georgilakis et al. and further in view of Mangasarian. Becker et al. in view of Galperin et al. does not anticipate or render obvious a method for determining an action selection that is based upon an

outcome relative to a subject that includes "b) calculating and storing a best behavioral model for predicting said outcome, provided an action is applied to said subject" and determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for "providing an optimal action relative to said subject for said objective of said outcome" as is recited in Claim 1 from which Claim 6 depends (Claims 9 and 17 from which Claims 14 and 22 respectively depend contain similar limitations).

It should be appreciated that Georgilakis et al. and Mangasarian, either alone or in combination do not remedy the deficiencies of Becker et al. and Galperin et al. outlined above in meeting the aforementioned limitations. Nowhere in either the Georgilakis et al. or the Mangasarian references is there taught or suggested a method, system, or program for: (1) calculating and storing a best behavioral model for predicting an outcome, provided an action is applied to a subject, and (2) determining and storing an optimized strategy for a random sub-sample where the optimized strategy is for providing an optimal action relative to the subject for the objective of the outcome as is recited in Claim 1 from which Claim 6 depends (Claims 9 and 17 from which Claims 14 and 22 respectively depend contain similar limitations). Consequently, Becker et al. in view of Galperin et al. in further view of Georgilakis et al. and further in view of Mangasarian does not anticipate or render obvious the embodiments of the Applicants' invention as are set forth in Claims 6, 14 and 22.

Conclusion

In light of the above-listed amendments and remarks, Applicants respectfully request allowance of the remaining Claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

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John P. Wagner, Jr.
Reg. No. 35,398
Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060